### IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS WACO DIVISION

JAWBONE INNOVATIONS, LLC,

Plaintiff,

V.

APPLE INC.,

Defendant.

S

Case No. 6:21-cv-00984-ADA

JURY TRIAL DEMANDED

S

APPLE INC.,

Defendant.

#### **JOINT MOTION TO DISMISS**

Pursuant to Fed. R. Civ. P. 41(a)(2), Plaintiff Jawbone Innovations, LLC ("Jawbone" or "Plaintiff") and Defendant Apple Inc. ("Apple" or "Defendant") (collectively, the "Parties"), represented by their attorneys, hereby stipulate and agree as follows:

The Parties have settled their respective claims for relief asserted in this litigation. Accordingly, the Parties respectfully request that all claims for relief asserted against Apple by Jawbone are dismissed with prejudice, and the Parties further request that all attorneys' fees, costs of court, and expenses be borne by each Party incurring the same.

So agreed and stipulated.

A proposed order is attached.

Dated: December 23, 2022 Respectfully submitted,

/s/ Peter Lambrianakos

Raymond W. Mort, III Texas State Bar No. 00791308

Email: raymort@austinlaw.com

THE MORT LAW FIRM, PLLC 100 Congress Avenue, Suite 2000

Austin, Texas 78701 Tel/Fax: 512-865-7950

### OF COUNSEL:

Alfred R. Fabricant (*Pro Hac Vice* to be filed)

NY Bar No. 2219392

Email: ffabricant@fabricantllp.com

Peter Lambrianakos (Admitted Pro Hac Vice)

NY Bar No. 2894392

Email: plambrianakos@fabricantllp.com

Vincent J. Rubino, III (*Pro Hac Vice* to be filed)

NY Bar No. 4557435

Email: vrubino@fabricantllp.com

Richard M. Cowell (Admitted Pro Hac Vice)

NY Bar No. 4617759

Email: rcowell@fabricantllp.com

### FABRICANT LLP

411 Theodore Fremd Avenue, Suite 206 South

Rye, New York 10580 Telephone: (212) 257-5797 Facsimile: (212) 257-5796

## ATTORNEYS FOR PLAINTIFF JAWBONE INNOVATIONS, LLC

### /s/ Ricardo J. Bonilla (with permission)

J. Stephen Ravel Texas State Bar No. 16584975

### **KELLY HART & HALLMAN LLP**

303 Colorado, Suite 2000 Austin, Texas 78701

Tel: (512) 495-6429

Tel: (512) 495-6429

Email: steve.ravel@kellyhart.com

Ricardo J. Bonilla Texas Bar No. 24082704 rbonilla@fr.com FISH & RICHARDSON P.C. 1717 Main Street, Suite 5000 Dallas, Texas 75201 (214) 747-5070 – Telephone

(214) 747-2091 – Facsimile

Benjamin C. Elacqua Texas Bar No. 24055443 elacqua@fr.com FISH & RICHARDSON P.C. 1221 McKinney Street, Suite 2800 Houston, Texas 77010 (713) 654-5300 – Telephone (713) 652-0109 – Facsimile

Betty H. Chen
Texas Bar No. 24056720
bchen@fr.com
FISH & RICHARDSON P.C.
500 Arguello Street, Suite 500
Redwood City, CA 94063
(650) 839-5067 – Telephone
(650) 839-5071 - Facsimile

ATTORNEYS FOR DEFENDANT APPLE INC.

# **CERTIFICATE OF SERVICE**

I hereby certify that on December 23, 2022, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of such filing via electronic mail to all counsel of record.

/s/ Peter Lambrianakos
Peter Lambrianakos